



STATE OF WASHINGTON
**APPLICATION FOR CHANGE/TRANSFER
OF WATER RIGHT**

RECEIVED
JUN 25 2008

DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE

For filing with Ecology or with County Conservancy Boards

A MINIMUM FEE OF \$50.00 PAYABLE TO ECOLOGY MUST ACCOMPANY THIS APPLICATION

(Check all that apply.)

- ☐ Change purpose(s) of use
☒ Add purpose(s) of use
☐ Change point(s) of diversion/withdrawal
☐ Add point(s) of diversion/withdrawal
☒ Change/transfer place of use
☒ Other (i.e. consolidation, intertie, trust water)

Temporary authorization for changes from application date to final determination of application.

\$50 fee OK-EG 6-30-08 OKANTON	
FOR OFFICE USE ONLY	
CHANGE No.	C64-CV1-4P200e3 WRIA 60
DATE ACCEPTED	07/03/08 BY [Signature]
FEE \$	50.00 REC'D 6/25/08
CHECK No.	061308 [Signature]
SEPA:	<input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME Donnie Newman	PHONE NO. (509) 485-2032	FAX NO.
ADDRESS 2277 Tonasket-Havillah Road		
CITY Oroville	STATE WA	ZIP CODE 98844
CONTACT NAME (IF DIFFERENT FROM ABOVE) Kevin Eppers	PHONE NO. (509) 775-3157 ext. 128	FAX NO.
ADDRESS 363 Fish Hatchery Road		
CITY Republic	STATE WA	ZIP CODE 99166

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER CG4-CCV1-4P200	RECORDED NAME(S) Donnie Newman
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Donny Newman S & N Logging, Inc. 2277 Tonasket-Havillah Rd. Oroville, WA 98844
IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application. Historical use is being documented and will be provided.

64-CV1-4P200 McCURAY			
FOR OFFICE USE ONLY			
APP. NO.	PERMIT NO.	CERT. NO.	CERT. OF CHANGE NO.

C64-CV1-4P200e3

4517099

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
N/A						

B. Proposed

SOURCE	NO.	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
N/A						

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☐ YES ☒ NO PROPOSED: ☐ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

See Part 2

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE – PHASE I	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Dust control		43 afy	Year-round with maximum 34.8 acre feet between April 1 and October 31, and maximum 8.2 acre feet between November 1 and March 31.
Instream flow		82.4 afy	See 3 Phases in September 26, 2006 Report of Examination (ROE).

B. Proposed

PURPOSE OF USE – PHASE II	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Dust control, instream flow		43 afy	Year-round with maximum 34.8 acre feet between April 1 and October 31, and maximum 8.2 acre feet between November 1 and March 31.
Instream flow		82.4 afy	See 3 Phases in September 26, 2006 ROE.

300 gpm total proposed per Tom McDonald/MS 6.30.08 EG

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
During mining (Phase 1), water will be used on lands within Sections 2, 3, 4, and 5, T. 39 N., R. 31 E.W.M., and Sections 24 and 25, T. 40 N., R. 30 E.W.M. At the completion of mining the place of use will revert to the original location, specifically 50 acres within that portion of the N1/2SE1/4, SW1/4SE1/4, and SE1/4SW1/4, Section 27; and the NW1/4NE1/4, NE1/4NW1/4, and SE1/4NW1/4, Section 34; BOTH in T. 39 N., R. 31 E.W.M., that lies northwesterly of the easterly branch of Toroda Creek and southeasterly of the county road.							
–	–	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
SW	SE	27	39	31	Okanogan	3931270012	50
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							
See Part 2							

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
During mining, water will be used for dust control on lands within Sections 2, 3, 4, and 5, T. 39 N., R. 31 E.W.M.; Sections 1, 2, 3, 4, and 11, T39N, R.30E; Sections 31 and 32, T. 40 N., R. 31 E.W.M.; and Sections 23, 24, 25, 26, 35 and 36, T. 40 N., R. 30 E.W.M., Okanogan County, and for mining, industrial purposes, and for instream flow mitigation for Marias and Nicholson Creek drainages as supplemental to instream mitigation required under Permit No. G4-34904 in NW1/4 and SW1/4, Section 24 and SE1/4 of Section 23, T. 40 N, R. 30 E.W.M.							

At the completion of Phase I, the mining and reclamation period, the water for dust control and mining/industrial purposes for the 43 afy, will revert to irrigation at the original location, specifically 40 acres within that portion of the N1/2SE1/4, SW1/4SE1/4, and SE1/4SW1/4, Section 27; and the NW1/4NE1/4, NE1/4NW1/4, and SE1/4NW1/4, Section 34; BOTH in T. 39 N., R. 31E.W.M., that lies northwesterly of the easterly branch of Toroda Creek and southeasterly of the county road.

1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? ☐ YES ☒ NO - IF NO, PROVIDE OWNER(S) NAME:

U.S. Department of Agriculture

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map. Map attached

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?

☐ YES ☒ NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):

6. Remarks and Other Relevant Information:

Please clarify that Phase 1, mining and reclamation, is Year 0 to Year 10, inclusive; Phase 2, mine refilling, is Year 11 to Year 23; inclusive; and Phase 3, re-equilibrium, is Year 24 onwards, See the Aquatic Resource Mitigation Plan and the Environmental Impact Statement. Please use these Years for time references.

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Ken Eppa
(Applicant)

6 / 20 / 08
(Date)

Don Newman
(Water Right Holder)

6 / 20 / 08
(Date)

Don Newman
(Land Owner(s) of Existing Place of Use)

6 / 20 / 08
(Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE
☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE
☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____/____/____